

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE PIDDE,
JAMES CICHANOFSKY, ROGER MILLER,
GEORGE NOWLIN and RONALD HITT, on
behalf of themselves and
a similarly situated class,

Hon. Patrick J. Duggan

Case No. 04-70592

Plaintiffs,

v.

Class Action

CNH GLOBAL N.V., formerly
known as Case Corporation,
and CNH AMERICA LLC,

Defendants.

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PLAINTIFFS' EX PARTE MOTION FOR LEAVE TO FILE REPLY
BRIEF IN SUPPORT OF PLAINTIFFS' SECOND MOTION
FOR ATTORNEY FEES IN EXCESS OF FIVE PAGES

Plaintiffs, pursuant to Local Rule 7.1, respectfully request that this Court grant them permission to file a 10 page Reply Brief in support of their Second Motion for Attorney Fees which is in excess of the five-page limit prescribed by Local Rule 7.1(c)(3)(A). In support, Plaintiffs state:

1. In its Response, CNH makes several legal and factual arguments which Plaintiffs believe require a more complete analysis than the five-page limit permits.

2. Plaintiffs request permission to submit a slightly longer reply brief than allowed by the Local Rules in order to adequately reply to these arguments.

3. A proposed Order granting Plaintiffs' Ex Parte Motion is attached as Exhibit A.

For these reasons, Plaintiffs ask the Court to accept their Reply Brief in excess of five pages.

KLIMIST, McKNIGHT, SALE,
McCLOW & CANZANO, P.C.

By: /s/ Roger J. McClow
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Dated: Jun 24, 2011

CERTIFICATE OF SERVICE

I hereby certify that on Jun 24, 2011, I electronically filed Plaintiffs' *Ex Parte* Motion for Leave to file a Reply Brief in Support of Plaintiffs' Second Motion for Attorney Fees in Excess of Five Pages with the Clerk of the Court using the ECF system.

KLIMIST, McKNIGHT, SALE,
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Dated: Jun 24, 2011

EXHIBIT A

UNITED STATES DISTRICT COURT
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SOUTHERN DIVISION

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behalf of themselves and a similarly situated
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Plaintiffs,

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CNH GLOBAL N.V., formerly known as
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Defendants.

Hon. Patrick J. Duggan

Case No. 04-70592

Class Action

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**ORDER GRANTING PLAINTIFFS' EX PARTE MOTION
FOR LEAVE TO FILE A REPLY BRIEF IN SUPPORT OF THEIR
SECOND MOTION FOR ATTORNEY FEES IN EXCESS OF FIVE PAGES**

At a session of said Court held in the City of Detroit, County of Wayne,
State of Michigan on _____

PRESENT: HONORABLE _____
U.S. District Court Judge

Class Plaintiffs, having filed an *ex parte* Motion for leave to file a Reply Brief in support of
their Second Motion for Attorney Fees in excess of the five-page limit under the Local Rules, and
the Court being fully advised in the premises;

IT IS ORDERED that Plaintiffs' motion is granted.

IT IS FURTHER ORDERED that Plaintiffs may file a 10-page Reply Brief.

Dated: _____

U.S. DISTRICT COURT JUDGE